**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**And**

**THE HON'BLE MR JUSTICE D.APPA RAO**

WRIT APPEAL NO.152 of 2006

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13th March 2006

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 06.12.2005 in W.P.NO.24534 OF 2002 on the file of the High Court.)

Between:

Y.Brahmachary, S/o.Late Kistaiah.

**...APPELLANT**

AND

1. The Presiding Officer, Labour Court-I, Chandravihar Building, M.J.Road, Hyderabad-1.

And two others.

**...RESPONDENTS**

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**And**

**THE HON'BLE MR JUSTICE D.APPA RAO**

WRIT APPEAL NO.152 of 2006

**JUDGMENT:** (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides.

At their request, the Writ Appeal itself is taken up for disposal at the admission stage.

The appellant/employee seeks to assail the order dated 06.12.2005 in the Writ Petition being W.P.No.24534 of 2002 dismissing the Writ Petition filed by him against the order dated 30.07.2002 rejecting the application during the pendency of the main proceedings to implead the third respondent as a party.

Both the Labour Court as well as the learned Single Judge did not find favour

with the appellant to implead at that juncture. However, as per the memo filed by the Divisional Cooperative Officer, Hyderabad East Division, Ranga Reddy District in Rc.No.138/2006-C dated 10.03.2006, one Sri G.Jyothi Kumar, Cooperative Sub-Registrar has been appointed as Official P.I.C. of I.N.P.B.ECCS Ltd., w.e.f.25.03.1995. Having regard to the same, it is quite necessary to implead him as party in the proceedings before the Labour Court and dispose of E.P.No.30 of 1998 afresh on merits after giving opportunity to both the sides.

Accordingly, the Writ Appeal is allowed. The order dated 30.07.2002 passed by the first respondent and the order dated 06.12.2005 passed by the learned Single Judge are set aside. The matter is remitted to the first respondent for fresh disposal on merits in accordance with law after impleading Sri G.Jyothi Kumar, Cooperative Sub-Registrar as party. No costs.

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**(B.PRAKASH RAO, J)**

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**(D.APPA RAO, J)**

13th March 2006

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